

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD**

Original Application No.21/759/2017

Date of Order: 07.06.2019

Between:

R. Malla Reddy, S/o. R. Siva Ram Reddy,
Aged about 45 years, Occ: Assistant Engineer (QA),
O/o. Senior Quality Assurance Establishment (Armaments),
Ordnance Factory, Yeddu-mailaram, Medak – 502 205.

... Applicant

And

1. Union of India, rep. by the Director General,
Quality Assurance, Ministry of Defence,
Department of Defence Production (DGQA),
Nirman Bhavan, New Delhi – 110 011.
2. The Director (Personnel), SSO-II,
Department of Defence Production (DGQA),
Nirman Bhavan, New Delhi – 110 011.
3. The Additional Director General
Quality Assurance,
Directorate of Quality Assurance,
Department of Defence Production (DGQA),
Nirman Bhavan, New Delhi – 110 011.
4. The Senior Quality Assurance Officer,
Senior Quality Assurance Establishment (Armts),
Yeddu-mailaram, Medak.

... Respondents

Counsel for the Applicant ... Dr. A. Raghu Kumar

Counsel for the Respondents ... Mrs. K. Rajitha, Sr. CGSC

CORAM:

***Hon'ble Mr. Justice L Narasimha Reddy, Chairman
Hon'ble Mr. B.V. Sudhakar, Member (Admn.)***

ORAL ORDER
{As per Hon'ble Mr. Justice L Narasimha Reddy, Chairman}

The applicant is working as Assistant Engineer (Quality Assurance) in the Department of Defence Production. While he was working at Ordnance Factory, Yeddu-mailaram, Medak District, he was transferred to an establishment i.e. DSC at Dehradun, through an order dt. 14.07.2017. The same is challenged in this OA.

2. The applicant contends that he has to look after his old parents and that his children are studying in various institutions within the Medak district. Another ground pleaded by the applicant is that Yeddu-mailaram is treated as 'hard station' and the transfer policy provides an opportunity for the employees working in such stations, to choose three stations of their choices, in the context of his transfer, but the same was not complied with in his case.

3. The respondents filed counter affidavit opposing the OA. It is stated that adequate medical facilities are available at Dehradun and the parents of the applicant can be treated there. It is further stated that the children of the applicant are now studying in Engineering and protection under the transfer policy is only if they are studying at the secondary level. As regards the choice of the places, it is stated that the incumbent at Dehradun has been transferred to Avadi and based on the qualification and experience of the applicant, his transfer became inevitable.

4. We heard Mr. B. Pavan Kumar, learned proxy counsel representing the learned counsel for the applicant and Mrs. K. Rajitha, learned Senior Central Government Standing Counsel for the respondents.

5. Three grounds are urged by the applicant in his challenge to the impugned order. The first ground is about medical care of his parents. The respondents categorically stated that adequate medical facilities are available at Dehradun. The second ground is about the education of the children of the applicant. Here again, they are said to be studying Engineering courses, as of now. As regards the third ground, though the applicant gave option for Hyderabad, Secunderabad and Visakhapatnam, it so happened that an Engineer of the category of the applicant is needed at Dehradun. Therefore, it is an administrative exigency.

6. Viewed from any angle, we do not find any basis to interfere with the order of transfer. We therefore, dismiss the OA and vacate the interim order dt. 08.09.2017. We grant four weeks time to the applicant to report at the new station.

7. There shall be no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)

(JUSTICE L. NARASIMHA REDDY)
CHAIRMAN

(Dictated in open court)
Dated, the 7th day of June, 2019

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